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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

LOK SABHA

The following Bills were introduced in Lok Sabha on 10th August, 1976:—

BILL NO. 63 OF 1976

A Bill further to amend the President's Pension Act, 1951.

BE it enacted by Parliament in the Twenty-seventh Year of the Republic of India as follows:—

1. This Act may be called the President's Pension (Amendment) Act, 1976. Short title.

30 of 1951. 2. In section 2 of the President's Pension Act, 1951 (hereinafter referred to as the principal Act), Amendment of section 2.—

(*a*) after sub-section (*2*), the following sub-section shall be inserted, namely:—

"(2A) Subject to any rules that may be made in this behalf, the spouse of every such person shall, for the remainder of life, be entitled to medical attendance and treatment, free of charge.";

(*b*) for sub-section (*3*), the following sub-section shall be substituted, namely:—

"(*3*) Where any such person is re-elected to the office of President, such person or the spouse of such person shall not be entitled to any benefit under this section for the period during which such person again holds that office.".

Substitution of new section for section 3.

3. For section 3 of the principal Act, the following section shall be substituted, namely:—

Free medical attendance and treatment to spouse of President dying in office.

"3. Subject to any rules that may be made in this behalf, the spouse of a person who dies while holding the office of President shall, for the remainder of life, be entitled to medical attendance and treatment, free of charge.".

Amendment of section 5.

4. Section 5 of the principal Act shall be re-numbered as sub-section (*1*) thereof and after sub-section (*1*) as so re-numbered, the following sub-section shall be inserted, namely:—

"(2) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".

STATEMENT OF OBJECTS AND REASONS

The President's Pension Act, 1951 (30 of 1951), *inter alia*, provides for medical attendance and treatment, free of charge, to a retired President. Such facilities are, however, not available to the spouse of a retired President or the spouse of a President who dies while holding office as such. Keeping in view the dignity of the high office of the President, it is proposed to extend the said facilities to the spouse of a President in both cases.

2. It is also proposed to include in the Act the standard provision relating to laying of rules before the Houses of Parliament.

3. The Bill seeks to achieve the above objects.

K. BRAHMANANDA REDDI.

NEW DELHI;
The 5th July, 1976.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117 OF THE CONSTITUTION OF INDIA

[Copy of letter No. 1/6/74-States, dated the 19th July, 1976 from Shri F. H. Mohsin, Deputy Minister in the Ministry of Home Affairs to the Secretary-General, Lok Sabha.]

The President having been informed of the subject matter of the proposed Bill, recommends to the House the introduction of the Bill under article 117(1) of the Constitution of India and also recommends the consideration of the Bill under article 117(3).

FINANCIAL MEMORANDUM

The Bill provides for medical attendance and treatment free of charge to the spouse of a retired President or the spouse of a President who dies while holding office (*vide* clauses 2 and 3). This will involve some expenditure. However, the cost of such medical attendance and treatment cannot be estimated beforehand as it will depend on the advice of the authorised medical attendant from time to time.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Section 5 of the Act empowers the Central Government to make rules for carrying out the purposes of the Act. Sub-section (2) of section 2 of the Act already provides for the framing of rules regarding free medical attendance and treatment to a President after he ceases to hold office. Under the proposed amendments, free medical attendance and treatment will be provided also to the spouse of a retired President or the spouse of a President who dies while holding office. These are matters of detail and the delegation of legislative power is, therefore, of a normal character.

BILL NO. 64 OF 1976

A Bill further to amend the Maintenance of Internal Security Act, 1971.

BE it enacted by Parliament in the Twenty-seventh Year of the Republic of India as follows:—

Short title and commencement.

1. (*1*) This Act may be called the Maintenance of Internal Security (Second Amendment) Act, 1976.

(*2*) It shall be deemed to have come into force on the 16th day of June, 1976.

Amendment of Act 26 of 1971.

2. In section 16A of the Maintenance of Internal Security Act, 1971 (hereinafter referred to as the principal Act), in sub-section (*1*), for the words "twelve months", the words "twenty-four months" shall be substituted.

Removal of doubts.

3. For the removal of doubts, it is hereby declared that every declaration made under section 16A of the principal Act before the commencement of this Act and in force immediately before such commencement shall have effect as if the amendment made in that section by this Act had been in force on and from the 29th day of June, 1975.

Repeal and saving.

4. (*1*) The Maintenance of Internal Security (Amendment) Ordinance, 1976 is hereby repealed. 5 of 1976.

(*2*) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

STATEMENT OF OBJECTS AND REASONS

The special provisions for dealing with the emergency contained in section 16A of the Maintenance of Internal Security Act, 1971, would have ceased to have effect on the expiry of twelve months from the 25th day of June, 1975. In the interests of the security of the country and public order and for effectively meeting the emergency, it was considered necessary to extend the period of operation of these provisions. Hence, the President promulgated, on the 16th June, 1976, the Maintenance of Internal Security (Amendment) Ordinance, 1976, to extend the period of operation of the said provisions so as to provide that the provisions shall have effect for the period of twenty-four months (instead of twelve months) from the 25th day of June, 1975, or the period of operation of the Proclamation of Emergency issued in 1971, or the period of operation of the Proclamation of Emergency issued in 1975, whichever is the shortest. The Ordinance also provided for the continuance of the declarations made under the said provisions before the commencement of the Ordinance and in force immediately before such commencement.

The Bill seeks to replace the above-mentioned Ordinance.

K. BRAHMANANDA REDDI.

NEW DELHI;
The 25th July, 1976.

BILL No. 65 OF 1976

A Bill further to amend the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974.

BE it enacted by Parliament in the Twenty-seventh Year of the Republic of India as follows:—

Short title and commencement.

1. (*1*) This Act may be called the Conservation of Foreign Exchange and Prevention of Smuggling Activities (Second Amendment) Act, 1976.

(*2*) It shall be deemed to have come into force on the 16th day of June, 1976.

Amendment of Act 52 of 1974.

2. In section 12A of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (hereinafter referred to as the principal Act), in sub-section (*1*), for the words "twelve months", the words "twenty-four months" shall be substituted.

Removal of doubts.

3. For the removal of doubts, it is hereby declared that every declaration made under section 12A of the principal Act before the commencement of this Act and in force immediately before such commencement shall have effect as if the amendment made in that section by this Act had been in force on and from the 1st day of July, 1975.

Repeal and saving.

4. (*1*) The Conservation of Foreign Exchange and Prevention of Smuggling Activities (Amendment) Ordinance, 1976 is hereby repealed. 6 of 1976.

(*2*) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

STATEMENT OF OBJECTS AND REASONS

The special provisions for dealing with emergency contained in section 12A of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974, have proved helpful in dealing effectively with persons engaged in smuggling and foreign exchange racketeering who, owing to their large resources and influence, have been posing a serious threat to the economy, and thereby to the security of the nation. These provisions would have ceased to have effect on the expiry of twelve months from the 25th day of June, 1975. The powers under these provisions have strengthened the hands of Government considerably. There would have been a serious setback to the anti-smuggling operations if the provisions had been allowed to lapse. Hence, the President promulgated, on the 16th June, 1976, the Conservation of Foreign Exchange and Prevention of Smuggling Activities (Amendment) Ordinance, 1976, to extend the period of operation of the said provisions so as to provide that the provisions shall have effect for a period of twenty-four months (instead of twelve months) from the 25th day of June, 1975, or the period of operation of the Proclamation of Emergency issued in 1971, or the period of operation of the Proclamation of Emergency issued in 1975, whichever is the shortest. The Ordinance also provided for the continuance of the declarations made under the said provisions before the commencement of the Ordinance and in force immediately before such commencement.

The Bill seeks to replace the Ordinance.

NEW DELHI;
The 24th July, 1976.

PRANAB MUKHERJEE.

S. L. SHAKDHER,
Secretary-General.

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